

CHAPTER I. **INTRODUCTION**

History

The Town of Clarence, named from the English House of Clarence, was formally established in 1808. It is the oldest township in Erie County. The township originally included all of northern Erie County including areas that presently encompass the City of Buffalo and the Towns of Amherst, Lancaster, Alden, and Newstead. The Town has historically been a farming community and continues to serve the Buffalo metro area in that regard.

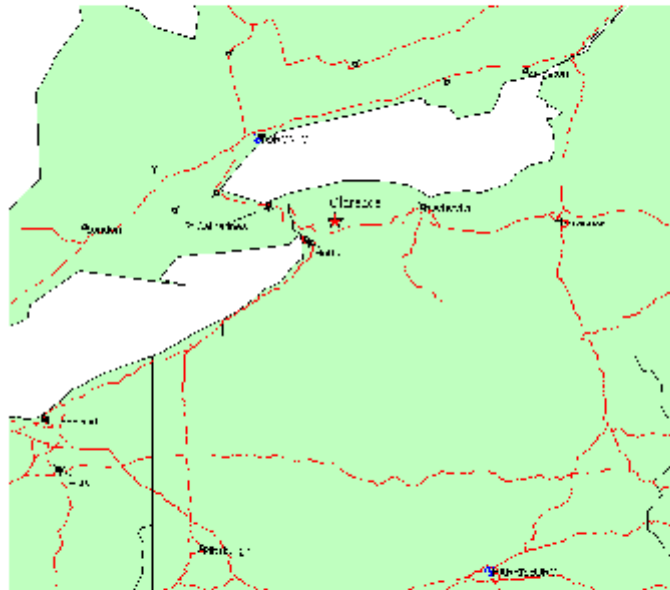
Besides agricultural operations, the principle industries throughout the years have been potash manufacturing, brick making, gypsum mining, stone and gravel quarries, and most recently home and commercial construction. Many of the original settlement patterns centered around the early industries. The Hamlets of Clarence Center, Clarence Hollow, Swormville, Wolcottsburg, and Harris Hill all contain remnants of a rich local history.

The history of the Town is a significant part of the foundation of this plan. Although, by preserving the integrity of a simple, “workable” plan, we will not provide a thorough historical analysis. However, we will provide a reference list for those who are interested in learning more about this community’s rich history as an addendum to this plan.

Figure 1.1 Regional Setting

Regional Setting

The Town of Clarence is located regionally approximately 20 miles northeast of downtown Buffalo. The City of Buffalo serves as the cultural center for the Western New York Region. The City of Toronto, Ontario is approximately 65 miles to the northwest of Clarence. The City of Rochester, New York is approximately 50 miles to the East, and the City of Pittsburgh, Pennsylvania is nearly 180 miles to the South.



The Town of Clarence, New York is located in Western New York within the northeastern part of Erie County. The Town measures 8.9 miles long (North to South) by 6.0 miles wide (East to West) encompassing approximately 53 square miles of area. The Town of Clarence is bound by the Town of Lockport to the North, Amherst to the West, Newstead to the East, and Lancaster to the South.

Recent and Current Trends

Population

The town’s population has been rising by approximately 400 people per year for the last ten years.¹ Although, there has been a decline in population throughout our region, the Town of Clarence has experienced significant growth affecting its semi-rural character. The town’s current population has been estimated by the Census Bureau to be about 24,000 people, a rise of 15% since 1990.² The official figure will be issued in April 2001 by the U.S. Census Bureau. This growth has created some problems for the school district classroom size and

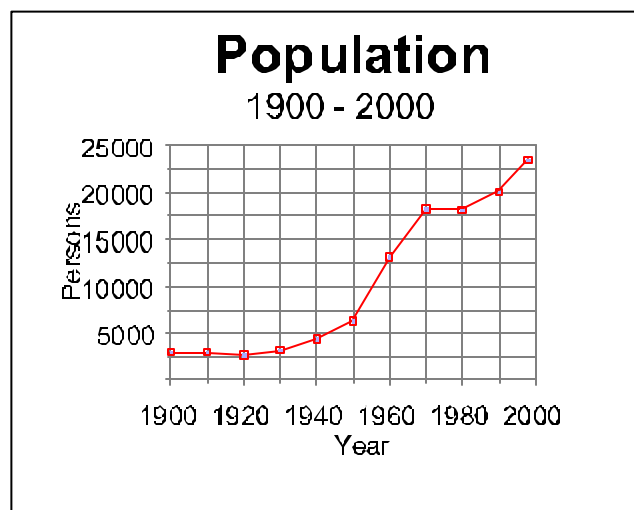
facilities as well as some of the roadway intersections throughout town.

The community is made up of a great mix of ancestries as detailed in the 1990 Census report. According to the report, the community is still a product of its early settlement days. Almost 200 years after the first settlers arrived, people of German descent make up 34% of the Town's population. Other major ancestral groups reporting include Irish (13%), English(11%), Italian(11%), and Polish(10%).³

There is a continued trend toward a smaller person per household ratio. In 1980 the U.S. average ratio was 3.6 persons per household compared to 2.6 persons per household in 1990. In Clarence, the ratio is currently estimated at 2.8 persons per household.⁴ This trend seems likely to continue as the education attainment levels of the community continues to climb.

According to the Land Use Service Cost/Revenue Generation Study, new residential subdivisions with homes ranging in price from \$180,000-\$220,000 (the average) adds one school age child to the community.⁵

Figure 1.2 - Population



Economics

The Western New York Region is losing population, however, the local economy seems to be relatively stable. Actually the economic indicators of the Region are showing positive gains. The Buffalo-Niagara Region job growth was 4.6% overall since 1991.⁶ Although this was not as great as the nation (21.7%) it represents a significant factor in sustaining economic wealth within the area.

Several of the largest employers in the region are making profits and are looking forward to future expansions. Both Adelphia Communications and HSBC have made at least ten year commitments to keep their headquarters in Buffalo. These types of actions will only help stabilize the region's economic

foundation. Locally, Wilson Greatbatch, Dynabrade, Ice Dimar, Mennon Medical and several other local manufacturer's have made a commitment to stay in Town. (Insert Figure 1.3-WNY Employment Chart)

Additional retail and office space has been created mainly along Transit Road and Sheridan Drive, but also there have been some additions to local industrial businesses along Main Street and Wehrle Drive. The current rate of development is estimated to be 145,000 sq. ft. of additional commercial and industrial development per year.⁷ This includes all office, retail, and manufacturing space in Town.

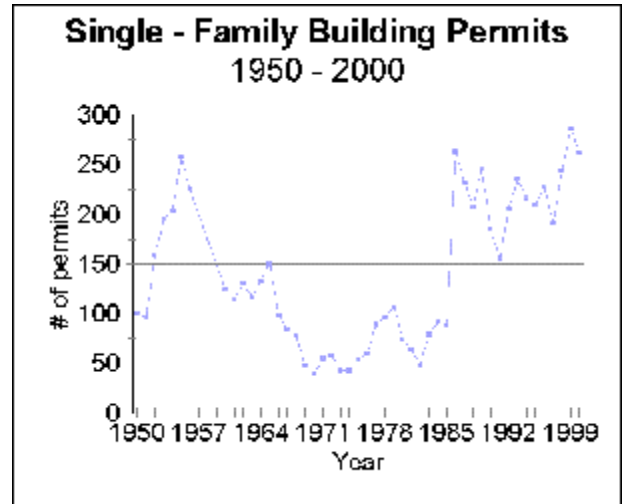
However, along with a healthy rate of commercial and industrial development, the Eastern Hills Mall has lost a significant portion of their customer base. The Mall received a tax assessment reduction of \$17 million last year (1999). There has been a shift in consumer demand and shopping patterns over the last ten years due largely to technological improvements and a national phenomenon of large corporations able to construct large "Big Box" outlets (over 100,000 sq. ft.) in suburban landscapes all across America. It offers a type of selection and choice in retail sales that has no historical precedent. This new type of development must be balanced with the existing retail infrastructure in order to protect the town from an over supply of retail space allowing large areas of vacant store fronts to persist.

Over the course of forty years, the Town has created an additional 6,000 acres of residential development. Although this is a large land area, most of the development is low density averaging out to approximately one residential building unit per .95 acre. This type of low density residential development has been the lure of new

Figure 1.4 - Building Permits

home buyers since 1950. This trend will likely continue until the residentially zoned property is completely built out.

The town has approximately eight hundred fifty (850) more single-family building lots that have been conceptually approved and are awaiting development in subdivisions throughout the Town. Under current zoning laws, another two thousand seven hundred (2,700) other single-family building lots could be developed along existing road frontage with septic systems. These numbers represent approximately a four to five year supply of residential building lots in areas with sewers and a fifty year supply of lots with septic systems. Without any further subdivision approvals, the pressure placed on existing county road frontage will surely increase. As the county road frontage is built out, the vistas of open spaces and farmland behind the new homes can be blocked, creating a character change that is undesirable for the community.



New housing construction is a vibrant resource of local employment and economic generation for within the WNY area. The town should be steering any future residential development toward approved subdivisions with sewers rather than allowing septic system development grow at the market rate for an indefinite period of time. By continuing to allow unrestricted development in areas that are not serviced by sewers creates an environmental hazard for local stream corridors and underground aquifers.

Housing

The recent pressures of new residential housing construction are having a significant impact on the farming and agricultural lands in the Town. This last year (1999) was the first year the 300 building permit cap was nearly reached. Figure 1.4 shows the building permits issued for single-family home construction since records were kept in the town.

Since 1986, the town has been experiencing significant development pressure for new residential housing. This new surge in housing units has never been matched in the town's history. The closest comparison could have been the post WWII suburbanization of the City of Buffalo. Most of the residential growth has been occurring in previously approved subdivisions such as Loch Lea and Meadowlakes. Table 1.5 shows approved subdivisions within the town and how many single-family residential lots are left to build in them at the current time.

Table 1.5 - Residential Subdivisions

Subdivision	Year Approved	Total Lots	Lots Left
Beech Meadows	1994	77	28
Boncrest West	1993	20	17
Country Meadows	1993	87	20
Country Walk	1995	34	33
Deerview	1992	12	1
Eastbrooke	1989	61	5
Fox Trace	1994	84	16
Hidden Pond	1994	51	7
Highland Farms	1995	105	15
Loch Lea	1988	568	84

Luxor Estates	1999	8	4
Manchester Park	1990	191	13
Martha's Vineyard	1993	98	43
Meadowlakes	1985	394	34
Pine Breeze	1990	172	37
Spaulding Lake	1978	231	119
Stayclare	1995	44	16
Stone Creek	1995	101	78
Williamsburg Farms	1993	21	2
TOTALS* -		2,437	857

* Totals include all subdivisions within the Town. The list represents 97% of all the subdivisions.

However, there is a significant portion of the new single-family permits being issued for areas outside of subdivisions along the rural roadways of town. Most of the county roads such as Lapp, Strickler, Kraus, and Clarence Center Roads are experiencing more growth than ever. The open vistas as seen from public highways are slowly disappearing changing the character of the local community. Chapter 2 will discuss this issue in further depth.

The percentage of owner occupied units remain very high (87.7%) as compared with Erie County (66.2%). But over 72% of these homes rely on private sewage disposal as compared with Erie County as a whole (8.2%).⁸

The number of apartment dwellings and manufactured homes are a growing proportion of residential units in Town. As low income residents look for their first homes or senior citizens look to downsize or retire within the Town, they should have a choice of housing types for their lifestyle. This plan will outline housing scenarios for people of all income types especially within the traditional neighborhood districts as outlined in Chapter 3.

Assessment Comparisons

The Town's assessed values have risen substantially throughout its development. Currently, residential development represents 66% of the total assessed value of the Town.⁹ In January of 1999, the value of residential development was at \$1,147,234,300. Although the taxes generated from residential development are greater than the sum of any other land use, the cost of providing services for this type of land use is even greater. Figure 1.6 shows the relationship between the types of land use and the assessed value that they provide to the Town.

Figure 1.6 - Land Use Comparison

Land Use Type	# of acres	% of total acres	# of parcels
Vacant/Active Agriculture	17,473.82	51.95	1,611
Residential	9,953.11	29.59	7,390
Commercial/Ind	4,904.64	14.58	1,202
Public/Semi-Public	1,305.43	3.88	416
Total	33,637	100.00	10,619

Land Use Type	Total Value	% of town assessed value	Mean Value	Max. Value
Vacant/Active Agriculture	\$ 182,823,200	10.37	\$113,484	\$ 948,600
Residential	\$1,147,234,300	65.07	\$155,241	\$ 6,564,800
Commercial/Ind	\$ 397,448,600	22.54	\$330,656	\$49,000,000

Public/Semi-Public	\$ 35,618,800	2.02	\$890,332	\$ 8,327,800
Total	\$1,763,124,900	100.00	\$166,034	N/A

The commercial growth has mainly occurred along the traditional corridors of Transit Road, Sheridan Drive, and Main Street. There has been some limited development in Clarence Center that provide neighborhood services and some retail to accommodate the growing population of that hamlet. Since 1960 the Town's largest commercial developments include the Eastern Hills Mall, Eastgate Plaza, the Clarence Mall, and the Auto World Mall. The largest new industrial developments are Wilson Greatbatch Research Park, Casilio Research Park, Buffalo Crushed Stone, and the County Road Industrial Properties.

This new commercial and industrial growth has kept the recent surge in residential development in check, however, the commercial and industrial zoned land is being filled out rapidly. Much of the existing commercially zoned property is not deep enough for practical large scale development. In many cases, industrial zoned property does not provide the infrastructure necessary for businesses to be competitive in today's marketplace.

Vacant and active agricultural lands have been persistently being converted for residential uses since 1960. An additional 10,000 acres have been converted from rural pastures to some form of residential development since 1960.¹⁰ Although the total acreage of agricultural lands are still over 52% of the total area of the Town, the trend of residential conversion would seem to continue without any policy change and local law amendments. The fact that the natural resource of good soils and open space still exist in a majority of the Town will play a major role in forming a foundation for an open space preservation plan to the overall vision for the Town. The time frame for adopting these new policies is critical for the viability of the overall comprehensive plan because of the demand for additional residential housing.

Although the total assessed value of agricultural and vacant lands is relatively low (10.6% of the total) compared to the rest of the land use types, the cost of providing services to these areas is relatively low. Therefore, in promoting the preservation of agricultural and vacant properties, the Town taxpayers will save future service costs while maintaining the rural character that defines their heritage. This will be discussed in detail in Chapter 2.

Community Goals

At a series of community meetings held in 1998, the community voiced their concerns about the current trends in the development of their town and the resulting problems with that development. They also had concerns with how local land use decisions are made and enforced. They are frustrated with the changing character of their town and requested a sound policy be developed in order to effectively communicate their vision to everyone involved with the development of the town. The following list illustrates a condensed but comprehensive picture of the community's goals for a new master plan:

1. Preserve and protect the open character of the Town through the development of an open space plan.
2. Maintain and promote the historic character of Clarence Hollow, Clarence Center and Swormville as well as historic landmarks not located within these districts.
3. Develop an official map that identifies future public service infrastructure upgrades.
4. Preserve existing green space through redesign of land use regulations and design guidelines.
5. Maintain the Town's strong recreation program and park facilities in proportion to growth.
6. Maintain the quality of our school systems.

7. Provide consistent enforcement of land use regulations.
8. Adopt an orderly and balanced growth plan which protects existing residential areas.
9. Coordinate planning efforts on a regional basis.

At these goal setting meetings, some citizens provided other suggested goals and action steps that the town could take in the future. The listing provided here is our condensed but comprehensive listing of the future growth policy of the town. It is important to realize that goals and public policy may change over time. It is imperative that the comprehensive plan be continually amended to match the needs of the community.

CHAPTER II.

PRESERVE AND PROTECT THE OPEN CHARACTER OF THE TOWN THROUGH THE DEVELOPMENT OF AN OPEN SPACE PLAN.

Plan Summary:

The Town of Clarence has a long and significant agricultural heritage. Soils in the Town, which lies within the Erie-Ontario Lowlands or lake plain, range from moderate to very high in terms of potential for agricultural activities. The quality of the soils and the rich limestone geology attracted Pennsylvania German farmers to the Town of Clarence in the early 1800's. Numerous farms existed in the Town below the Onondaga Escarpment and while there are several active farms within the Town today, much of the original farmland lies vacant or has been converted to non-agriculture use.

As one of the fastest growing Towns in the region, the Town of Clarence is concerned over loss of open space and productive agricultural lands. The Town has averaged over 200 residential building permits per year for the past ten (10) years and projections for future growth remain consistent. Clarence has become a popular community in which to reside because of its open character, agricultural heritage and cultural amenities. A common theme has emerged in community meetings, including goals setting meetings, that preservation of the rural character of the Town of Clarence is most important to its residents.

The Clarence Town Board has identified the loss of open space and agricultural lands as a major concern and has initiated several programs to save the character that makes Clarence so attractive. Master Plan 2000 identified open space preservation and maintenance of the Agriculture District Program as two of the major objectives for the Town to work to achieve. Towards achieving this goal, the town recently adopted a conservation easement program to encourage the preservation of open space. This tool has enabled the town to preserve certain areas of the Onondaga Escarpment, a valuable regional cultural and physical asset. Other tools which the Town currently uses includes zoning which identifies a distinctive agriculture zoning district which limits non-agricultural uses in such areas and preservation of the Clarence-Newstead Agricultural District.

As a part of Master Plan 2015, the Town is proposing to enhance existing open space preservation tools and to develop a program for purchase of development rights (PDR) for those areas most susceptible to development, prioritizing those lands which are currently active in terms of agricultural production. Priority will also be given to lands with high potential for agricultural production and lands considered valuable as an open space resource. Removing development pressures of speculative ownership, high real estate property taxes, and urban encroachment through the purchase of development rights will make it economically feasible to continue using lands for agricultural purposes. As identified in the Nutter Study, open space preservation under such a plan would not create a financial hardship for the Town in terms of an increasing local tax rate nor to individual property owners.¹²

Development of this plan will be consistent with regional farmland protection goals and will ensure that the Town of Clarence retains its rural/open space character which will achieve the goals as established by the community.

Current Status:

The Town of Clarence currently has approximately 15,000 acres of land within the Clarence-Newstead Agricultural District (Erie County District #14). Of this, approximately 5000 acres are actively utilized in agricultural production. There also exists a lesser amount of land in agricultural production outside of the Agricultural District (at varying times up to 500 acres).

Figure 2.1 identifies active agricultural land by assessors code.

Figure 2.2 identifies the Clarence-Newstead and Newstead-Alden Agricultural Districts

Figure 2.3 identifies Soils Type and Quality within the Town

The Town of Clarence has an extensive flood zone in the northern portion of the Town which limits the

development pressures in this area. Due to the restrictive nature of the density flood zone, this area of the Town is constrained in terms of development potential. In addition, there exists numerous State Wetlands and Federal Wetlands, as well as several stream bank corridors, adding additional constraints to development potential.

Figure 2.4 identifies sensitive areas of the Town, protected by Regulatory Agency

- wetlands
- floodplains
- stream corridors

The existing Town of Clarence Zoning Law identifies a distinct Agriculture Zoning District. As this zoning classification limits the type of land use allowed within the Agriculture Zoning District, it aids in the protection of existing open space and agricultural lands by reducing the potential for development of a conflicting land use.

Figure 2.5 identifies the existing Agriculture Zoning District as described in the Clarence Zoning Law

Currently there exists several development proposals under various stages of review by the Town. These proposals, if developed in any manner, would most likely extend utilities to undeveloped areas which will in turn place additional pressures on vacant lands. While it is difficult to know the extent of approval, or whether a project will be approved, assumptions can be made which identify lands that may be under greater pressures for development.

Figure 2.6 identifies known development pressures on Valuable Open Space.

Action Plan:

Proposed Zoning Amendments:

A. The Town should develop a second Agriculture Zoning District to accommodate the distinct natural features which exist in the Town. Specifically, one Agriculture Zone should mirror the density flood zone in the northern part of the Town. Lot sizes and frontages should match the requirements of the density flood zone. Use controls should reflect customary agriculture operations and rural residential uses and be designed to maintain the open/rural character. No commercial operations should be approved and only home occupations which maintain all activities within wholly enclosed out buildings should be permitted. Continued strict enforcement of the density flood zone regulations should be maintained. In addition, the Town should pursue a basement exemption clause to the flood plain regulations to reduce the amount of fill required to elevate structures in this zone.

B. The existing Agriculture Zoning District, outside of the Density Flood Zone, should be amended to reflect the Erie County Health Department requirement of minimum lot size. The zoning law should be amended to reflect the minimum lot size requirement of three-quarters of an acre. Consideration should be given to increasing frontage requirements in this zone to protect the existing road frontages to reduce the potential number of curb cuts on existing roads and to further disperse septic systems in the community. Incentives can be developed within the zoning district to encourage preservation of existing road frontage (i.e. offer a higher density for unique designs promoting maintenance of existing road frontage). Use controls should be maintained to allow single family and two-family residential uses and customary agriculture uses.

C. The Town Zoning/Subdivision Laws should also be amended to discourage the conversion of Agriculturally Zoned properties to non-agricultural uses. Major subdivision of land should not be allowed in the agriculture zoning district and utility extensions should likewise not be allowed. For areas currently zoned agriculture which are located within a sewer district, one technique which should be implemented is to require that the densities associated with existing Agriculture Zoning be maintained even if higher density residential

developments are proposed and public sewers are available. Major subdivisions should only be allowed in the area designated as Residential on the Land Use Map recommended within this plan and any major subdivision should also be encouraged to cluster housing units and maintain a high percentage of green space in subdivision design. The technique of Average Density Development, would encourage open space design by requiring that up to 50% of a particular site proposed for development be maintained as open space. The Zoning and Subdivision Laws should be amended to make this technique a requirement for any proposed extension of utilities into a non developed area.

D. Require, where feasible, in specific project reviews, that mature woodlands and other unique or valuable natural features be preserved in development of a site. In many instances this will require a tree survey to be included as a part of the review process.

E. Continue to strictly enforce the floodplain ordinance based on the Federal Emergency Management Administration (FEMA) maps and continue to review this periodically to ensure that the floodplain law is providing the protection intended.

F. Continue to enforce the drainage policies of: no construction in sink hole areas; no basement construction in high risk basement flooding areas; the provision of necessary precautions in moderate basement flooding areas; and the requirement of easements for all major and minor drainage channels wherever development takes place. The Floodplain Regulations, State and Federal Wetland Policies and Town Drainage Policies protect or prevent development in most severe soil wetness limitation areas.

G. Do not allow future development within 100 feet of the Tonawanda Creek bank unless it is based on a soils/foundation report and design by a professional engineer. While the Town's Soil Interpretation Report indicates there are considerable areas north of Greiner Road that have severe soil instability, most of which is associated with wetness conditions, standard construction procedures followed to date have prevented any unusual problem or serious damages, with the exception of house settlement along Tonawanda Creek and basement flooding in the high risk basement flooding area. Therefore, no new measures appear warranted for this general soil classification area outside of what is already being done, except for the additional Tonawanda Creek measures recommended above. The Soil Interpretation Report shows most of the area south of Lapp Road is moderately or well suited to residential and light commercial planning. The report notes that the construction in the poor to generally unsuited areas north of Lapp Road requires adequate fill to raise the structures above base flood level, and in some areas for larger structures, special foundation measures may be needed due to poor soil stability.

H. Develop and adopt an open space plan, with official map, which identifies important natural areas of the Town, quality soils important to agricultural operations, active agricultural lands, lands adjoining the Onondaga Escarpment and other valuable properties and provides a mechanism for acquiring important lands or the development rights to such lands. The proposed open space plan shall prioritize lands for preservation based upon the following criteria:

1. Active agricultural lands
2. High soils classification for agricultural production
3. Size of parcel
4. Development Pressure/Location
5. Agricultural district
6. Natural features value (wetlands/floodplain/escarpment/mature forest)
7. Visibility from Existing Roads
8. Visibility to Important Natural Features

Map identifying open space priorities follows (Figure 2.7).

By preserving agriculture and open space, the Town will:

- .Encourage preservation of the Agriculture District
- .Preserve the Agriculture Heritage of the town
- .Ensure that existing Residential Uses Maintain their Character and Value
- .Preserve both Viable Agricultural Land and Mature Woodlands for Future Generations.
- .Preserve the Open Space Character of the Town.

Local adoption of this Open Space Plan will allow the Town to more competitively pursue State and Federal funding to preserve valuable local open space and agricultural lands. Adoption of the plan will allow the Town to pursue a Purchase of Development Rights (PDR) plan similar to the plan currently being implemented in the neighboring Town of Amherst. Figure 2.7 indicates those properties, based on the criteria discussed, which should be targeted for preservation.

CHAPTER III.

MAINTAIN AND PROMOTE THE HISTORIC CHARACTER OF CLARENCE HOLLOW, CLARENCE CENTER AND SWORMVILLE AS WELL AS HISTORIC LANDMARKS NOT LOCATED WITHIN THESE DISTRICTS.

Plan Summary:

As the oldest municipality in Erie County, the Town of Clarence is blessed with a significant history, several historic landmarks, historic properties and older neighborhoods which have retained a historic character. Historic properties connect a community's residents to their heritage by providing a link to the past and can be important to a region's travel and tourism industry. The concept of preserving the historical aspects of the Town has been identified as a significant community goal and will be critical to the long term health of the Town.

The methods used to achieve this goal of historic preservation should be designed so as to protect individual property owners from undue financial hardships and encouraging investment in and rehabilitation of existing properties. Adoption of a local historic preservation law may be the ultimate goal, however the Town should act incrementally to develop a consensus among all property owners before initiating adoption.

It will be important to maintain investment in historic properties and the Town must ensure that unrealistic regulations, placing additional burdens on property owners in certain areas, are not developed which can lead to disinvestment in these areas. The Town will need to begin with methods which encourage investment in substandard properties and help in developing a consensus for full cooperation in preserving historic character.

As an initial step, zoning amendments can be implemented which will encourage the reuse of existing properties as well as ensure that new proposals are compatible with the existing character of the areas. These zoning changes can be designed to encourage a mix of uses to maintain the existing character of the Hollow area, Clarence Center and Swormville. In addition to zoning, the Town should work to develop off street parking to promote commercial uses while maintaining existing structures and historic lighting districts can be developed to further promote the historic concept of the hamlets.

Current Status:

Currently the Town of Clarence does not have any adopted land use regulations which deal with preservation or maintenance of historic properties or neighborhoods. Preservation to date has occurred from the private interests of property owners and from the support offered via the local historical society and interested citizens. There does exist local "grass roots" support, including a group of citizens that are committed to preserving the local architectural history of the Town and this group will be the driving force behind the development of historic preservation land use regulations.

Several distinct areas exist within the Town which have a number of structures which may be classified as historic or maintain a character which should be preserved. Each of these areas has its own character with a variety of historic architectural styles which add to the ambience of the community. In addition, there exists isolated landmarks, not located within these districts, which support the community character.

Clarence Hollow:

The Clarence Hollow area extending from Strickler Road on the west to the Town line on the east along Main Street (NYS Route 5) represents a distinct and significant section of the Town. Clarence Hollow is a quaint stretch along Main Street that provides a mix of uses, with a few historic structures. There exists no public sewers in this section of the Town which has limited the investment in existing businesses. With a plan for providing sewers to this area in the works, the possibility exists that additional investments will occur, especially with the volumes of traffic which pass through this area and the addition of a large agriculture convention center on the border with Newstead. Currently, this section of the Town of Clarence is zoned Commercial with standard lot size, setback and parking requirements as allowed throughout the rest of the Town within the Commercial and Major

Arterial Zoning Classifications.

Under current regulations, there is no mechanism to allow for the use of many existing parcels of land or structures within this area without a variance. It is the goal of the community to preserve this area and to enhance its historical and community character. With this goal in mind, it is important that the Town put in place a mechanism to preserve the character of this area at this time or risk the very real probability of allowing a development that would demolish existing structures and allow construction of a new structure which would have to conform to existing Commercial Zoning District requirements.

Clarence Center:

The Clarence Center Area is a mixed use hamlet centered around the intersections of Goodrich Road and Clarence Center Road, locally known as the four corners. This area contains several historic structures, including both businesses and residences. There has been more investment in properties within Clarence Center as compared to Clarence Hollow and the character is more homogenous than in the Hollow area. The streets are tree lined and the buildings have a shallower setback creating a unique character worth preserving. Currently, the Clarence Center Road frontage is zoned Commercial from just west of Thompson Road to Clarence Center Elementary School and the Goodrich Road frontage is zoned Commercial from Boxwood Drive to Maple Street. Under current regulations, as with the Hollow area, there is no mechanism to allow for the use of many existing parcels of land or structures without a variance.

Clarence Center is located within the Clarence Sewer District #2 and acts as a nucleus to a growing residential base within the district. There will be pressure in the future for more substantial service type businesses to accommodate this growing residential population. This area represents an ideal example of mixed uses with a connective street and sidewalk pattern, accentuating the architectural style of the buildings and allowing for residents to walk to needed services. This type of community represents the goal of the “new urbansim” design strategy. As such, the Town must work to maintain this area as close to its current character as possible. The pressures for change are the growing residential population on the periphery, the traffic being generated by this residential growth and the continued need for services.

Swormville Area:

Swormville is a mixed use hamlet which incorporates a portion of the Town of Amherst as well as the Town of Clarence, centered around the Transit Road Corridor generally between County Road and Lapp Road. Commercial uses are limited to the Transit Road corridor. The Transit Road frontage within Swormville is zoned Major Arterial which generally promotes large scale commercial ventures. Setbacks are very large in order to maintain the efficiency of the through traffic corridor. Backlands behind the frontage uses exist as farmland or vacant but the area is covered by Erie County Sewer District #5. With the current and projected traffic volumes in this area and with the growth in both Towns, Swormville would seem to be prime for growth in the near future. Current land use regulations would work to reduce opportunities to reuse existing structures in favor of demolishing and rebuilding with large parking facilities.

In 1995, the Town of Amherst identified Swormville as a distinct area in their Northeast Sector Plan. This plan recommended that Swormville develop in a mixed use strategy to compliment existing historical structures. The goal for the Clarence side is similar to that outlined in the Amherst plan in developing a mix of uses in attempting to maintain the existing character. Swormville is different from Clarence Hollow and Clarence Center in that it remains mostly undeveloped outside the immediate Transit Road Corridor. Any growth/investment in this area will predominantly be for new structures. If the character of the area is to be maintained and promoted then the Town will need to develop design standards that compliment the existing structures within the hamlet.

Action Plan:

The following initial steps are recommended towards building a consensus to initiate development of a local historic preservation law:

1. Create a separate zoning classification and district for Clarence Hollow, Clarence Center and Swormville.

The Historic Mixed Use Zoning District should provide for incentives to allow for adaptive reuse of existing structures by relaxing parking requirements, lot size, lot coverage and setback requirements. Also the district should specify that the any new buildings should meet a predetermined architectural style which matches the character of the area. Demolition and reconstruction with development of large parking lots should be similarly discouraged. This new classification will need to be flexible in order to allow for a mix of residential and commercial uses. It shall allow residential uses to continue as a permitted use and require that any new commercial structures allow for 2nd story residential development as a part of the structure. Commercial uses should be limited to service and small retail/shop type developments which service the residential character of these areas.

2. Develop a local consensus for initiating a local historic preservation law. This will involve a local designation process for identifying historically significant properties. It may be initiated through a process of voluntary compliance to design standards and the Town should work to develop local incentives to encourage such compliance.

3. The support of local “grass roots” efforts to encourage historic preservation should be further developed and formalized. This effort should work to identify historically significant properties, reward property owners that preserve properties via a local awards program and working with the Town on development of an acceptable and fully supported local law.

For purposes of creating a zoning district for the Hollow, the area will be defined as the area from the Strickler Road intersection with Main Street to the Town line with Newstead. For this section of Main Street, it is proposed to create an historic mixed use zoning classification along the Main Street area. Permitted uses will include service type businesses, professional offices, small retail shops, diners or small restaurants, banks, and churches under 10,000 square feet and shall include a residential component to encourage a mix of uses. This zoning district will provide the following incentives to allow for reuse:

1. Minimum lot size shall be 70' x 120' or 8400 square feet.
2. Minimum front yard setbacks and rear yard setbacks shall be 25'
3. Minimum side yard setbacks shall be 10'
4. Off-street parking standards will be relaxed to allow a minimum of the following:
 - *For business uses: the lesser of one space per employee/occupant or 1 space per 1000 square feet of usable commercial floor space
 - *For Residential Units: One space per dwelling unit
 - *For any use proposed which requires demolition of an existing structure, the standard Commercial zone requirements as to setback and parking will be required, with parking to the rear of any building.
5. Architectural standards should, at a minimum, require that existing characteristics of the adjoining structures be maintained, including maximum building size requirements to maintain the scale of the existing character
6. Residential Units should be allowed as a permitted use on second stories in buildings.

For the Clarence Center Area, an historical mixed use zoning classification is proposed over the same area as the existing Commercial Zone under the current regulations. This mixed use zone will allow residential properties to continue as residential and encourage commercial type uses by relaxing existing standards as described above. Permitted uses will be limited to similar neighborhood business type uses and residential uses. The purpose of this zone is to encourage investment in existing structures to maintain the existing character of Clarence Center. Changes in use should compliment the character of the hamlet.

Future development in the Swormville hamlet should attempt to maintain the historic character with a mixed use concept. The Land Use Access Management Plan for the Transit Road Corridor will identify appropriate uses and design criteria to maintain the character of the area. The goal will be to allow through traffic to flow through the corridor while encouraging mixed use new urbanism development on the surrounding backlands.

To a less defined extent the area of Harris Hill, generally defined as the area surrounding the intersection of Harris Hill Road and Main Street has a character which is unique to Clarence and the town should work to maintain this character. As Harris Hill Road is residential in character, this should remain and the Main Street corridor should be better defined to encourage smaller structures and not to encourage large buildings with parking in front which will work to erode the character. Also the area of Wolcottsburg at the intersection of Wolcott Road and Goodrich Road should be maintained as a mixed-use hub.

In terms of Town involvement to support the maintenance of these historic hamlets, public services should be developed to enhance existing service uses. This should include the creation of special districts to develop municipal parking, sidewalk maintenance and historic lighting districts. The hallmark of a “new urbanism” community is a walkable community. The Town should work to maintain these areas as walkable by constructing off-street public parking areas which will not involve any demolition of significant structures and provide parking in a non-intrusive manner, preferably behind existing structures. In addition, district formation to develop historic street lighting and side walk development/maintenance should be pursued to compliment all of these areas. Grant monies should be pursued to support these public efforts.

IV. DEVELOP AN OFFICIAL MAP THAT IDENTIFIES FUTURE PUBLIC SERVICE INFRASTRUCTURE UPGRADES

Plan Summary:

Infrastructure and particularly the extension of sewer lines and the increases in traffic volumes on existing roads will be a critical factor in determining growth and in guiding land use decisions in the future for the Town of Clarence. Access to public sewers is critical to the long term environmental health of the community. Sewer lines have extended relatively slowly and have produced significant growth impacts on the Town. Growth in concentrated areas will and has had an equally dramatic impact upon the utility of existing roadways.

A consequence of providing access to public sewer service is growth and higher density development. The extension of sewer lines, in particular the extension of Erie County Sewer District Number 5, the Peanut Line Sewer Extension and the development of Clarence Sewer District Number 2, have triggered residential housing development in a concentrated area. Specifically, these sewer line extensions have provided service to, among others, the Loch Lea, Fox Trace, Highland Farms, Meadowlakes, Stayclare, Beech Meadows, Pine Breeze, Martha's Vineyard and Hidden Pond Subdivisions. Together these subdivisions, at full build out, represent over 2000 new homes in the Town. Considering that these developments are located within a two mile square radius and are designed to place pressure on a network of Erie County maintained collector roads, not specifically designed to handle such volumes, traffic congestion/volumes have increased dramatically within the 1990's and will continue to be a critical factor in reviewing future projects and to maintaining the quality of life within the Town. It will be critical in the future to better coordinate land use with involved agencies to ensure that potential traffic problems are addressed prior to land use approvals. One issue which should be evaluated is determining cost of upgrades and the responsibility of an individual project sponsor to incur a financial responsibility in developing road network upgrades required for a project approval.

As a part of Master Plan 2015, the Town has commissioned a traffic study to analyze current and future road conditions within the central part of the Town. This is the area which, because of the high residential growth in the region, has experienced and will continue to experience the highest rate of traffic volumes. The purpose of the traffic study is to identify areas of concern and be sensitive to these areas in approving land use development. In addition, the Town in conjunction with the Town of Amherst is developing a Land Use Access Management Plan (LUAMP) of the Transit Road Corridor. Transit Road represents one of the major north/south road in the suburbs east of the city of Buffalo. It also represents the retail and commercial center for this region of Western New York. The Town's, in conjunction with the New York State Department of Transportation and the Greater Buffalo Niagara Regional Transportation Corporation, have hired a consultant to analyze the corridor and the network of roads accessing the corridor and to make recommendations on access management and land use. The goal of the LUAMP is to make Transit Road a more efficient transportation corridor as well as a more dynamic commercial corridor.

Access management techniques being developed as a part of the Land Use Access Management Plan being undertaken by the Towns of Clarence and Amherst should be utilized across the Town, especially in those areas of known concern. This would include Harris Hill Road. Incentives to encourage access management and conflict point reductions should be implemented within land use regulations to aid in the long term preservation of Harris Hill Road and other roads experiencing growth in volumes. In addition, traffic calming techniques can be incorporated in design standards to allow for a reduced impact of any particular commercial or residential project.

Continued development of recreation and pedestrian trails will be a major recommendation of Master Plan 2015. Trail development will aid in discouraging excess automobile usage on residential collector streets. In addition, trails provide one of the most desirable recreational experiences identified for future recreational needs.

Also developed in conjunction with Master Plan 2015 is an update to the Town's Master Sewer Plan. This plan identifies future sewer extensions and capacities in order to provide service to areas of the Town that are creating a pollution concerns to best determine future growth areas within the Town.

As previously discussed, these infrastructure issues become two of the critical elements in determining future land uses within the Town. The ultimate goal of Master Plan 2015 is to produce an official map which identifies sewer extensions planned or proposed, identify how such extensions will impact upon community growth, identify potential traffic impacts associated with such growth and to recommend possible infrastructure upgrades to support this future growth and to reduce impacts associated with growth. Concerns over volume growth on County and State Highways as discovered in the town of Clarence Comprehensive Traffic Study of October 2000 will be forwarded to County and State Transportation Departments to prioritize future funding schedules.

Current Status:

The Comprehensive Traffic Study prepared by Nussbaumer & Clarke is made a part of this study and develops a baseline representing existing conditions. Similarly, the Master Sewer Plan update describes existing conditions within the Town in terms of sewer line locations and capacities.

Action Plan:

Transportation Systems:

Transportation systems must be looked at on a regional level as dynamics and growth in adjoining Towns will have an impact on local roads. Residential growth in the western portion of the Town in the late 1980's and throughout the 1990's has created a substantial increase in traffic on roads in this sector. Each new dwelling unit adds demands to the existing transportation system. While scattered development has less impact on residential collector roads, it has an impact equal to that of subdivisions when the traffic from these homes reaches the minor and major arterial. The major impact will be on north/south roads as the Town grows from west to east following sewer extensions. There exists only Transit Road and three County Roads which cross the Town boundary south into Lancaster; Harris Hill Road, Gunnville Road and Ransom Road. With the substantial growth in the Town of Lancaster and the even more substantial commercial growth in the Town of Amherst, it would follow that traffic growth on these north/south roads would be increasing with or without growth in Clarence. As Harris Hill Road becomes more congested, it would follow that Gunnville and Ransom would become more heavily traveled.

Additional west to east growth in the Town of Clarence will place additional pressures on north/south roads, especially Harris Hill Road as the only county road with access to the south and the population center of the Town of Lancaster on the southwesterly side of the Town of Clarence. Harris Hill Road south of Sheridan drive in the Town of Clarence is purely residential in character, with old growth street trees and residential setbacks. Changes to the residential character of Harris Hill Road in this area would be unacceptable and the Town must work to preserve this character. The Town must be careful in approving land uses which could potentially place heavier volumes on Harris Hill Road south of Sheridan Drive as it may be unacceptable to widen Harris Hill Road. The proposed extension of Bryant & Stratton Way and other access management tools along Transit Road may assist in relieving some pressure on Harris Hill Road and this plan should be more fully developed and implemented. The proposed Harris Hill Commons project and any additional growth in the northern end of Harris Hill Road must be designed so as to reduce any potential traffic growth on Harris Hill Road.

The Town of Lancaster has developed a North/South Corridor Road Plan which would help to reduce traffic concerns within Lancaster. Recommendations made by the GBNRTC related to the ultimate design of such a corridor road would extend such a corridor into Clarence. Residents of the Town of Clarence expressed great concern over such a connection to a high volume corridor which could place additional volume pressures on Gunnville Road, Main Street and Goodrich Road. The Town Planning Board reviewed the proposed Lancaster North/South Corridor Plan with officials from GBNRTC and developed a recommendation to make Sheridan Drive the connector to any future corridor development in Lancaster. Master Plan 2015 similarly recommends that should a Lancaster North/South corridor plan be further developed that an extension of Sheridan Drive to the south and east from its terminus at Main Street in the Town of Clarence be incorporated into future plans as the prioritized connector to the Corridor.

Relocation of the Williamsville Toll Barrier and the associated removal of toll booths at the Transit Road exit and the addition of alternative access points to the Thruway would have an impact on traffic dynamics in the Town of Clarence. Studies on how such a plan will affect the distribution of traffic should be thoroughly analyzed

and this is being done as a part of the Draft Environmental Impact Statement for the relocation. The Town will be most sensitive to any impacts upon Harris Hill Road. Impacts on Wehrle Drive, Main Street, Gunnvile Road and Ransom Road will also need to be thoroughly analyzed under the Draft Environmental Impact Statement for the Toll Barrier Relocation.

Another major concern in the future will be the increased volumes of traffic on Goodrich Road. Other than Transit Road, Goodrich Road and Salt Road offer the only north/south connection to Niagara County. Concern is at the four corners area of Goodrich and Clarence Center. The four corners offers a traditional, historic mixed-use setting that is severely impacted by high traffic volumes, especially during the peak AM and PM hours, including tractor trailers avoiding Transit Road. With completion of construction on Transit Road and access management practices implemented, traffic should utilize Transit Road at a higher rate which will help in reducing volumes on Goodrich Road. The Town should maintain Roll Road as a limited cut corridor to aid in moving traffic east and west, including extending Roll Road east of Goodrich to service the growing population associated with Hidden Pond Subdivision and future growth to the east and south. This action will assist in reducing volumes through the four corners. Similarly, a road extension north of the four corners to the west would help in reducing volumes at the four corners. Future subdivision designs in this area should provide connective street patterns to reduce the impacts on these local collector roads, such as Goodrich and Clarence Center Roads.

Salt Road will face volume growth as the Town grows from West to East. Access management techniques, including the reduction of curb cuts through zoning and subdivision updates should aid in reducing future problems. The major concern over the next fifteen years will be the intersection of Main Street and Salt Road, which is already experiencing a deterioration in level of service. The New York State Department of Transportation should include upgrades to this intersection in the proposed reconstruction planned for 2001. A road extension of Greiner Road to the east to connect to Davison Road would aid in relieving pressure on the intersection of Salt Road and Main Street and this extension should be pursued as traffic volumes degrade the level of service at the Main/Salt intersection.

Other areas of concern include Shimerville Road, Thompson Road and Greiner Road. Access management techniques, including reducing curb cuts and design techniques in future projects will aid in maintaining current levels of service. Upgrades to intersections, including turn lanes and traffic control devices may be necessary at the Shimerville/Greiner and Shimerville/Roll intersections.

In terms of future land uses, the Town must be sensitive to Harris Hill Road as a primary connector to future development. As stated, the increase in volumes on Harris Hill are not solely the result of residential growth within the Town, however additional growth in the north and central portions of the Town will certainly have an impact upon Harris Hill Road. Access management techniques must be implemented to reduce long term impacts. In addition, design techniques should be adopted into local land use regulations to reduce impacts, including driveway separation standards, lower density developments, connective street patterns, neighborhood shopping, neighborhood recreation areas and parks, and a mix of variety of housing types and sizes with walkable/bikeable neighborhoods.

Pedestrian Transportation Plan:

The Town of Clarence has developed a Bike Path Master Plan as an outgrowth of Master Plan 2000 and as the vision of the Conservation Advisory Council. The ultimate plan develops a series of trails connecting public lands within the Town and coordinating trail development with adjoining municipal and regional systems.

The priority initially is to complete the rails to trails portion of the system. This includes creating a trail head at Wehrle Drive and the West Shore Line, developing the West Shore Line from Wehrle Drive to Salt Road to connect to the portion which the Town of Newstead has completed. This provides a connection between Clarence Hollow and the Village of Akron. Also the extension of the Peanut Line trail development should be prioritized to extend to the developed trail in Newstead at the Town line.

Future projects along or adjacent to any portion of the identified trail system should incorporate a trail development component. This will serve to benefit not only the overall trail network but also provide a better development in harmony with the community. The Town Board and Planning Board should incorporate trail

extensions for the good of the overall network as a part of future development plan approvals on specific projects.

Graphics: Bike Path Master Plan/LOS on Roads (existing and potential–color coded by level)/ Road Conditions (color coded)/Possible Extensions (Bryant & Stratton & Stahley)/LUAMP/Traffic Volumes (existing and potential–color coded by volume)

Master Sewer Plan:

The extension of sewer lines and access to the existing capacity of the Amherst Sewer Treatment Plant will be critical to the long term environmental health of the Town of Clarence. The ultimate goal is to provide public sewers to residents within all subdivisions and areas of high density in the Town, to eliminate known pollution sources and to provide sewer access in the most cost effective means appropriate. The by-product of sewer line extensions is additional growth. It will be necessary for the Town to identify possible sewer extensions and then further identify acceptable land uses and designs along these sewer extensions. Existing sewers within the Town are generally described as follows:

Erie County Sewer District #5.

Erie County Sewer District #5 services the western portion of the Town from Shimerville Road on the east to Transit Road, including the commercial corridor of Transit Road and several existing large subdivisions. This district provides service access to the Town of Amherst Sewer Treatment Plant. Existing subdivisions within Erie County Sewer District #5 include:

- Country Meadows
- Eastbrooke Place
- Loch Lea
- Village Station
- Rolling Meadows/Highland Farms
- Roseville/Forest Creek
- Woodbridge Village
- Farmington Woods/Transit Valley Acres/The Woods
- Meadowlakes
- Manchester Park
- Williamsburg Farms
- Stahley Road frontage lots

Sewer District #5 connects to the Amherst Sewer system through the Dodge Road Interceptor and most recently the Klein Road Interceptor. The Town of Amherst has now placed a moratorium on any additional sewer flows to this system due to wet condition flows surcharging the system. Any additional flows through this system will have to be negotiated between the Erie County Sewer District #5, The Town of Amherst and the Town of Clarence.

Within the current boundaries, the largest undeveloped land is located in the Hamlet of Swormville north of County Road to Lapp Road, west of Green Acres Road. This area has the most potential for growth within the sewer district. The Town of Amherst has designed a plan for the hamlet in their Northeast Sector Plan which recommends a mixed use development of the area. The Town of Clarence should similarly pursue a mix of uses and for development of the Swormville Area. One of the concepts to be considered is the extension of Stahley Road north to Lapp Road, parallel to Transit Road. This would provide additional road frontage for development along extended Stahley as well as provide access management to further the use of Transit Road as an arterial. This concept should be further studied in the Land Use Access Management Plan being developed in conjunction with NYSDOT.

Erie County Sewer District #5 also operates separate sewage treatment plants located at the Wilson Greatbatch/Research Parkway and at the Sisters of St. Joseph property. It is currently being studied by the Erie County Division of Sewerage Management how these plants can be eliminated and taken via trunk line to Amherst Treatment Plant. This study also includes studying the feasibility of eliminating the privately owned and operated sewer treatment plant servicing the Spaulding Lake Subdivision and the expanding manufactured housing park at Rock Oak Estates. The Brothers of Mercy Property is also serviced by a private sewer treatment plant.

Peanut Line Sewage Works Corporation

The Peanut Line Sewage Works Corporation is a public/private partnership originally developed to provide sewer service to the Hollow area and the Harris Hill area. The first phase of this extension services the residential area north of Clarence Center Road between Transit and Heise Roads. This line services up to 400 homes in this vicinity. The future extension of the Peanut Line Sewer is proposed to service the Clarence Hollow Sewer District # 9. Capacity within this trunk sewer is limited by an 18" trunk line from Transit Road to Paradise Road in the Town of Amherst. Once Sewer District #9 is hooked in, capacity will be limited to 1000 additional residential units. Future service to the Harris Hill area will be tied to increasing the capacity of the above referenced 18" Interceptor in Amherst. An increase in capacity of this line will be the responsibility of the Town of Clarence with agreement from the Town of Amherst. A full State Environmental Quality Review of the impacts associated with increasing the capacity of this line will be necessary before making a decision on such a project.

Clarence Sewer District #2

Clarence Sewer District #2 services the community of Clarence Center. It includes a rectangular shaped area extending from just north of Keller Road on the north to just below Roll Road on the south and just east of Herr Road on the east to just west of Thompson road on the West. As recommended in Master Plan 2000, sewer extension only within the boundaries of this district should be allowed. District # 2 property owners are paying for the right to use this system and the interceptor sewer to Amherst. Capacities should be analyzed and reviewed prior to approving any service connections as an extension of existing facilities within the district. Sewerage from this district now utilizes the Peanut Line Trunk Sewer to access Amherst and the treatment plant. A 10" trunk line remains along the Peanut Line but is not utilized west of Heise Road.

Clarence Sewer District #7

Clarence Sewer District #7 services the Fox Trace Subdivision and the 78 residential lots associated therewith. It is serviced through an agreement with Erie County Sewer District # 5 through the Transit-Greiner interceptor. Due to constricted wet flow conditions surcharging the Amherst system, no additional capacity is available at this time. Any future boundary extensions would have to be approved through agreement with the Town of Amherst and Erie County Sewer District #5. The expansion of this district would potentially service the land currently proposed for development at the corner of Harris Hill Road and Greiner Road (Harris Hill Commons Proposal) as well as the proposed Fox Trace East Subdivision. Also, this district could potentially service the vacant lands to the north of Greiner Road and east of Harris Hill Road. As of now and into the undetermined future, no extensions of Erie County Sewer District #5 may proceed. This will delay any actions concerning Harris Hill Commons, Fox Trace East and any proposed development to the east.

Clarence Sewer District #6

Clarence Sewer District #6 is mostly a paper district at this time with the only sewer service provided to Beech Meadows Court, a section of Beech Meadows Subdivision outside of Clarence Sewer District #2 and a small portion of the Stonecreek Subdivision adjoining Heise Road. The district extends from Roll Road on the south to Clarence Center Road on the North with a small area north of Clarence Center Road along Heise Road included. It extends from Newhouse road on the west to Thompson Road on the east. Capacity for future growth within this district will be directly tied to increasing the size of the Peanut Line Interceptor in Amherst to allow additional flows from the Town of Clarence. This will be tied to extending sewer service to the Harris Hill area.

Clarence Sewer District # 9/Private Sewer Corporation

Clarence Sewer District #9 includes most of the Clarence Hollow area. This district was formed to address a serious pollution problem within Ransom Creek. This district is proposed to be serviced via a trunk line extending from the Peanut Line Sewer at Heise Road to Greiner Road near Brookhaven Drive. The trunk line is limited in capacity to servicing this sewer district plus 1000 additional residential units. Additional capacity to service the remainder of the Hollow, outside of Sewer District #9, would be subject to capital improvements within the Amherst system, which would be responsibility of the Town of Clarence as previously discussed.

As of the writing of this section, the only sewer capacity available to the Town of Clarence is the servicing of Clarence Sewer District #9 in the Clarence Hollow and 1000 additional taps plus the 39 remaining taps on the

original Peanut Line extension. With the constricted wet condition flows in Amherst related to flows from Erie County Sewer District #5, the Town of Clarence should plan on utilizing the Peanut Line to solve existing pollution problems. Cost/Benefit analyses will need to be undertaken to determine the feasibility of connecting the various sections of the Town to this capacity. Of priority will be the servicing of the Harris Area to solve a known pollution problem with existing on-site septic systems in this populated area. An additional priority will be to extend sewer service to areas where the Town can direct appropriate Business Park and light industrial type development. The areas identified as having the greatest potential for such development will be the Roll/Harris Hill area, the Gunnville/Wehrle Area and the County Road Area, all identified on the attached map. As discussed in the Nutter Study, the preferred growth balance for the Town increases the priority for commercial park and light industrial development and these areas would provide the Town the most potential for such growth without having a serious negative impact upon existing residential areas.

The Erie County Health Department has jurisdiction over approval of on-site sanitary facilities in areas within the Town which will not have access to public sewer connections in the future. The Town can aid in ensuring that on-site systems are providing adequate environmental protections by amending existing land use regulations to require larger lot sizes, especially in areas with poor or poorly drained soils. Subdivision of land should be discouraged where soil quality is poor and there exists no opportunity to connect to public sewers. The proposed land use amendments proposed for aiding in the preservation of greenspace will aid in reducing the potential for pollution problems associated with on-site systems.

The updated Master Sewer Plan is attached as an integral part of Master Plan 2015.

Other Utilities:

The New York State Electric & Gas Corporation (NYSEG) provides electrical transmission and distribution service throughout Clarence. National Fuel Gas provides natural gas service to portions of the Town, mainly to the south of Clarence Center Road and west of Salt Road. The Town is served by municipal water facilities throughout its area. The Town has recently entered into an agreement with the Erie County Water authority to manage water service within the town.

CHAPTER V.

PRESERVE EXISTING GREENSPACE THROUGH REDESIGN OF LAND USE REGULATIONS AND DESIGN GUIDELINES

Plan Summary:

One of the main attributes of the Town of Clarence is its open space, its “country setting” and curb appeal to both residents and passers-by. In many instances this appeal may be a perception but the preservation of open space and of mature trees and agricultural lands should be a critical part of any development approval. Preservation of open space does not necessarily mean a reduction in density or in the number of units allowed, however, it does require a great deal of thought to efficiently and effectively lay out a land use. While no land use regulation can direct the best land utilization on every parcel, minimum standards can be developed in a clear and concise fashion to allow for consistent, attractive and orderly development.

The existing Town of Clarence land use regulations, including the zoning law and subdivision law have been in place for decades and are in need of upgrading to reflect changes in the dynamics which impact the growth of the Town. While the existing codes have been important to the development of the Town and have created a desirable community, recent residential growth and amendments to other land use regulations and regulatory agency requirements have made it necessary to initiate updates. Amendments can be made which not only better match other regulatory requirements but also create more efficient design standards and designate more open space into design. Such regulations can also be designed in a more user friendly manner.

Current Status:

The Town of Clarence Zoning Law was originally adopted in 1942 and represents a comprehensive land use regulatory instrument for the dynamics of the 1960's. The local economy and factors which influence growth in the Town of Clarence have changed since the initial adoption of this law. Several amendments to this code have been developed over the years which have kept up with some of the influencing

Action Plan:

Changes recommended include the following:

1. Zoning Map amendments to reflect desired uses in particular locations.

A. Create an Agriculture Zone which mirrors the density flood zone and matches lot size requirements in this flood zone. Minimum lot size to be 1.33 acres and 150' frontage for single family home development. Development of a duplex or two family home will require 200' of frontage. Limit uses to agricultural uses and large lot single family. No topsoil stripping or excavating business operations shall be allowed. Home occupation uses shall be allowed in permitted out buildings with no outside storage/display and no advertising. The Temporary Conditional Permits process should be utilized to specify and control specific home occupation type uses. Eliminate the multiple duplex allowance which currently is in the existing Zoning Law. Continue to allow golf course construction with set conditions

B. Create Agriculture Rural Residential Zoning Classification which increases lot size minimum to 1.33 acres of an acre to match the minimum requirements stipulated in the density flood zone. Minimum frontage requirements should likewise be 150' for a single family home and 200' for a duplex or two family home. The Town should also consider increasing lot frontage requirements in this zone by offering incentives to preserve existing road frontages. Uses should remain as currently described in the existing zoning law. Home occupations in permitted out buildings with no outside storage or display and no advertising—utilize the Temporary Conditional Permit process to specify and control specific uses/operations for home occupations.

C. Specify all residential areas or areas which potentially would best support residential develop and zone these areas Residential. There exist several existing neighborhoods which are currently zoned Agriculture which should be more appropriately zoned Residential in order to protect the residential character of these

neighborhoods. These include: Christian Drive, Shimerville Road between Main Street and Sheridan Drive, Hunt Club Lane, Hunting Valley South, Winding Lane, Deer View Ct., Park Ledge Court and Willow Wood Drive.

D. Eliminate the Residential B Zoning Classification. The Nutter Study completed and incorporated as a part of Master Plan 2015 has identified a land use scenario which will encourage larger lot development. New subdivisions should maintain, at a minimum, a Residential A density.

E. Identify all opportunities for Commercial Growth by type. The specific type of Commercial Development should be identified by the existing character of the adjoining uses. Specific areas include:

1. The South side of Sheridan Drive from the westerly Town line to Harris Hill as a new Neighborhood Business zone to accommodate small offices, service shops and similar uses which help to retain a residential character. This area should develop with reuse of existing residential structures rather than demolition and reconstruction. Retail type businesses should not be allowed in this area. Minimum architectural standards should be adopted to match the character of the existing area. No steel buildings should be developed in this stretch.

2. Restricted Business for the remainder of the South side of Sheridan Drive from Harris Hill Road east, to encourage additional growth in the medical/professional office developments in this area. Minimum architectural standards should be adopted, including not allowing steel clad buildings.

3. Similarly the north side of Sheridan Drive between Glenwood Drive and Main should be zoned Restricted Business to encourage medical/professional office development. Minimum architectural standards should be adopted, including no steel clad buildings.

4. Main Street between Transit Road and Harris Hill Road should be maintained as Commercial with any opportunities for additional depth pursued to make this area more attractive to prospective businesses. No steel clad buildings should be developed along this section of Main Street.

5. Rezone from Commercial to Restricted Business the section of Main Street from Harris Hill Road to Strickler Road and add additional depth to this zone where practical to encourage prospective businesses to locate in this area. A residential component should be continued for this area, both in terms of defining a lot of record and in terms of allowing 2nd story residential uses above principal commercial uses. Minimum architectural standards should be adopted, including not allowing steel clad buildings.

6. Create the Historic Commercial Zone in the Hollow (Strickler Road to Town Line on the east) and in Clarence Center (along Clarence Center road and Goodrich Road aligning with current Commercial Zone) to encourage reuse of existing structures and discourage demolition. These districts should include a residential component to encourage a mix of compatible uses. Minimum architectural standards should be adopted.

7. Change from Major Arterial to Neighborhood Business the section of Transit Road within the density flood zone (north of Lapp Road to just South of Tonawanda Creek Road)

8. Identify areas where opportunities for light manufacturing/ warehousing type operations and business parks can exist without a negative impact upon existing residential areas. This will include the existing Industrial zoned areas, including the area around the intersection of Harris Hill Road and Roll Road, the existing County Road Park and the Wehrle Drive area east of Barton Road and west of Shisler Road as well as Gunnville Road on the east side between the High School and National Fuel Gas. This zoning classification should include deed restrictions and occupancy regulations to fully control the type of operation developed. The name for this zoning classification should be business park or commercial park.

2. Add a section on Clustering within the proposed new zoning law to allow for open space design within any proposed new subdivision. In conjunction with a conservation development requirement to preserve up to 50% of vacant land on any proposed project, clustering will allow for more efficient use of vacant land and reduce the infrastructure cost associated with new development. This requirement should be carried over to include all currently non-sewered areas. In this fashion, open space can be utilized as a design tool for future residential

developments.

3. Place minimum standards on all commercial site plan review projects to include an increase in the greenspace requirements on any particular project. Minimum standards should include eliminating parking in the front of projects and increasing setbacks in certain areas to maintain the existing character.

4. Streamline the process for developing a Planned Unit Residential Development (PURD) to encourage common area development and maintenance.

5. Adopt Revised Open Development Area Regulations as a permitted aspect with the Subdivision Law. Open Development areas should be encouraged as a more efficient land use as opposed to curb cuts along existing road frontages. Set minimum design standards for open area development lots.

6. Encourage donation/preservation of park land and open space as a tool of the subdivision law. The design benefits of preserved lands within a development should be thoroughly considered in making a determination.

CHAPTER VI.

MAINTAIN THE TOWN'S STRONG RECREATION PROGRAM AND PARK FACILITIES IN PROPORTION TO GROWTH.

Plan Summary:

In March of 1997, the Town Board was presented with a report from the Supervisor's Recreation Advisory Committee that measured the community's recreational needs. Several important facts were disclosed during this process. They are as follows:

1. 81% of survey respondents who utilize the public facilities felt that the current parks are adequate for their needs.
2. 64% of survey respondents suggested that they would like to see more recreational development in the town in future years.
3. Over half of the population (51%) would not support an additional tax burden to pay for future recreational improvements.
4. There is a need for a centralized facility in northern Clarence (north of Clarence Center Road) in the future.
5. The priority of recreational needs are as follows: Picnic areas (Pavilions), walking and running paths, a public golf course, community swimming pools, baseball fields, soccer fields, ice skating rink, x-country trails, tennis courts, softball fields, and an aerobics exercise facility.

Existing Conditions:

The Town of Clarence currently has 9.9 acres of developed parkland per 1,000 people which is considered exceptional according to the National Parks and Recreation Association.* There are also several recreational sites owned by the School District, State of New York, and Erie County that are not included in the ratio analysis but that play a vital role in meeting the overall recreational needs of the community. The Town also has several hundred acres of undeveloped land that could have a significant contribution in meeting future recreation demand. Table 6.1 below illustrates the current inventory of developed public lands within the Town.

Table 6.1 also shows the public lands that are owned by the Town or County that have not been developed. These lands represent future possibilities for solving some recreational demands that the community may have. The State of New York owns a Wildlife Refuge at Tillman Road measuring over 219.3 acres that is not included in any of the recreational analyses for determination of future needs due to its size of non-accessible wetland area, but surely it provides a great passive recreational benefit for the Town of Clarence.

Table 6.1 - Municipal Parkland

<u>Developed Parkland</u>	<u>Acres</u>	<u>Undeveloped Parkland</u>	<u>Acres</u>
Meadowlakes Park	25.1	Soccer Center Expansion	55.1
Rails to Trails (North Line)	49.8	Beeman Creek Park	386.3
Kraus Road Soccer Center	30.1	Main Town Park South	50.4
Fogelsonger Park	6.0	Rails to Trails (South Line)	57.5

Sunset Park	17.2	Sheridan Dr. Girl Scout Camp	93.6
Main Street Town Park	34.3	Total	642.9
Academy Street Park	6.4		
Escarpment Conservation Area	14.1		
Town Hall Park	50.1		
Total	233.1		

The Clarence Central School District also owns and operates several recreational facilities throughout the Town that can be considered a great community resource. The following Table 6.2 shows the properties and approximate recreational lands and open space provided at each site. For the purposes of community planning, it is difficult to predict future school district needs at these sites. The district and the municipality act as separate autonomous organizations to meet different goals, therefore they are not included in the Town's future recreational need analysis. However, they do provide the community with a great recreational asset.

Table 6.2 - Clarence Central School District Recreational Area

School Location	Acres
High School	25
Middle School	20
Clarence Center Elementary	4
Harris Hill Elementary	10
Sheridan Hill Elementary	7
Ledgeview Elementary	7
Future Goodrich Road Site	30
Totals	103

Continued cooperation with the School District in recreation planning is paramount to an effective community program. Without the use of an additional 100 acres of land, the Town would be at a disadvantage in programming for the needs of the community. Because the School District is restricted to using their property, the Town's land is very beneficial for meeting the School's recreational programming needs as well. As the town grows, it will be imperative to communicate effectively with each other in these programming issues. The current Recreational Advisory Committee is the appropriate body to carry out the future programming functions for the Town.

Action Plan:

As the Town of Clarence develops their residentially zoned property over the next fifteen years, some of the undeveloped land that the Town owns may be utilized for meeting the anticipated increase in demand for recreational services. The following action plan would meet the current demand and any future needs if development were to continue at the current rate.

Beeman Creek Property:

The Town should pursue the County of Erie Parks Department to develop and maintain the Beeman Creek property as a passive recreational facility with pavilions for picnics and walking/x-country trails. If the County can not utilize this property for the purposes of recreation, then the Town should seek to acquire the property. Park plans should be coordinated with the assistance of the New York State Department of Environmental Conservation for wetland and wildlife protection and education.

Pedestrian Transportation Plan:

The Town would also benefit from the development of the Pedestrian Transportation Plan (PTP), also

known as the Bike Path Master Plan, as a method of meeting the needs of people requesting areas for walking and running, roller blading, biking, and other non-automotive means of transportation. The concept plan as illustrated in Figure 6.3 shows the PTP as laid out by the Town's Recreation Advisory Committee. Its purpose is to connect as many people as possible to all of the community facilities in Town including schools, town government offices, and all parks. It is also to act as a convenient method of accessing the commercial service areas of town including Main Street, Transit Road, Clarence Center Road. The main east/west corridors are the old railroad right-of-ways whereas the north/south connections must be negotiated by securing agreements with private property owners and the County of Erie for highway right-of-way permits.

Pedestrian design elements in all future developments, commercial and residential, should be emphasized through site plan review. By providing an alternative means of transportation throughout the town reduces the environmental impacts of automobile usage, increases the health of people using the system, and allows others who cannot operate an automobile another means of transportation to services. The system also promotes the social interaction of town residents raising community awareness.

Public Golf Course:

The request to develop a public golf course for the residents of Clarence could best be met by private development. There is currently a proposal to develop a semi-public 27 hole golf course to the east of the current Town Hall location with some residential housing intermingled. Although this proposal is no guarantee of future golf course development, private money is available for providing this type of recreation without the use of taxpayer dollars. The continued popularity of the sport of golf has provided a revenue stream for private investment in this industry that should produce a supplier in the near future.

Sheridan/Thompson Recreational Area:

The Town property at Sheridan Drive and Thompson Road can be best developed as a passive park that can include walking and running trails as well as areas for picnics or organizational events. There are no sewers available at the site currently, so any future use of the property would have to be coordinated with a future extension of a sewer district. The town should reserve the opportunity to also provide limited active recreational facilities on the Sheridan Drive frontage to meet the needs outlined in the recreational survey.* Currently there is a special committee investigating the feasibility of using the old Girl Scout Camp as a nature conservatory.

Kraus Road Soccer Center:

Currently there are plans to expand the Kraus Road Soccer Center to include baseball fields as well as additional soccer fields to meet the increasing demand for more facilities within the town. A concession center and bathrooms have also been included in the overall concept plans. This development will address the current recreational demand for these types of activities. The future development of the Pedestrian Transportation Plan will be critical in bringing additional access to residents to the West of this site.

Northern Clarence/Tonawanda Creek:

There is some demand for a recreational facility in northern Clarence. With the residential housing growth that is occurring in the northern part of Clarence along county roads, the demand for some type of additional recreational facility is growing. Several town residents have also requested that the Town seek a property along Tonawanda Creek Road that could provide waterfront access for a unique recreational opportunity. A property should be acquired along Tonawanda Creek that can provide water access and act as a passive recreational facility for picnics and organizational events.

Neighborhood Parks:

As new residential subdivisions are proposed it is imperative that the Town take land under the subdivision law to meet the recreational needs of the newly formed neighborhood. The burden of providing sufficient recreational needs on these new communities must be placed on the land developer. There is a documented need for more neighborhood parks that provide the necessary benefits in close proximity to the residents of the adjacent neighborhoods.*

Neighborhood parks increase the health and safety benefits of the community by providing a close location for children to play as well as allow adults to maintain a closer social network. Parks also contribute to the overall value of properties within a subdivision when included in a new neighborhood design.*

Dedicated recreational area should be a mandatory aspect of subdivision designs and neighborhoods of over twenty-five (25) single-family units. If the development is under twenty-five (25) units and a neighborhood park would be inconceivable in the design according to the Town Board, then a recreation fee should be paid to the Town's Recreation Fund by an amount to be determined by the Town Assessor as a comparable value for the land. This would insure a fair market value for recreational space for future generation of residents. If there is an opportunity to preserve land for future recreational use with adjoining lands that would be developed in the future, then the reservation and dedication to the Town should be made in order to create a viable recreational area.

Active Recreational Facility:

In order to meet the increasing demand for a fitness center, indoor swimming facility, and more adult recreation programming, the town should rely on private investment. There are great examples of private recreational facilities throughout the area and the Clarence and Williamsville School Districts each run adult recreational programs that are funded mainly by the users of the programs.*

In analyzing lands for potential acquisition, the following list of priorities should be considered:

- Erie County Agricultural District preservation and maintaining lands in agricultural production.
- Protection of lands with the most valuable soils for agricultural production.
- Protection of existing natural features on the property including but not limited to wetlands, streams, mature vegetation, 15% or greater slopes, etc..
- Size of the parcel to be acquired.
- Future land uses in the vicinity.
- Sewer extensions providing development pressure.
- Proximity to existing recreational areas including the PTP.
- Conformance with regional plans.

If the following action plan is carried out over the next fifteen years of development, then the town will be in a superior position in meeting recreational demand. Keeping pace with the changing dynamics of the community will bring different demands for various recreational activities. Remaining sensitive to the needs of new residents as well as the existing community will insure that Clarence remains the top community in Western New York in providing recreational area for its citizens.

CHAPTER VII. **MAINTAIN QUALITY SCHOOL SYSTEMS**

Plan Summary:

There are no applicable Town policies that relate to the performance standards associated with the School Districts within the Town. The Williamsville and Akron Central School Districts as well as the Clarence Central School District are represented within the Town boundaries and the goal will be to maintain the high standards which have been achieved by all of these districts. Obviously growth within the Town will have an impact upon each of the school districts and it will be important to maintain the positive relationship between the Town and the School Districts.

The Land Use Service Cost/Revenue Generation Study, included as a part of Master Plan 2015, has identified, in general, the fiscal impacts associated with future growth and specifically how various growth scenarios will impact upon the fiscal stability of the various School Districts. A higher residential growth rate will lead to a higher cost in providing/maintaining the quality schools. The Clarence Schools have undertaken population projection studies over the past several years and these studies are included as a guide to assist the Town in identifying trends. Concentrated growth in areas where there exists sewer availability may cause amendments in the current elementary school districts within the Clarence Schools.

CHAPTER VIII.

PROVIDE CONSISTENT ENFORCEMENT OF LAND USE REGULATIONS

Plan Summary:

The Town currently has the lowest ratio of local government employees per citizen in Erie County. Efficient business management practices and fewer governmental controls over land use allow the municipality to operate at these levels. The absence of elaborate public infrastructure reduces the need for maintenance and administrative costs. This efficiency creates a demand for a specific methodology of enforcing existing land use laws throughout the Town. It best can be achieved through effective communication and education.

Through the enforcement process of local land use law, it seems that many businesses or residents in the Town have little knowledge of the existing land use laws or may only have limited exposure to those laws when something they have done is a violation or a project is proposed in the vicinity of their neighborhood. At that time, the Town begins the enforcement process and explains the local regulations to the interested parties.

Community policing by the residents and business owners in Town help the land use officials do their job. With few enforcement officials in Town in charge of carrying out the official enforcement proceedings, community policing is essential. With 52 square miles of land to cover and approximately 10,700 different parcels of land, a major aspect of the enforcement job is responding to complaints lodged by a resident or business owner gripped by an action. By increasing public awareness of existing land use law, it decreases the likelihood of violations occurring.

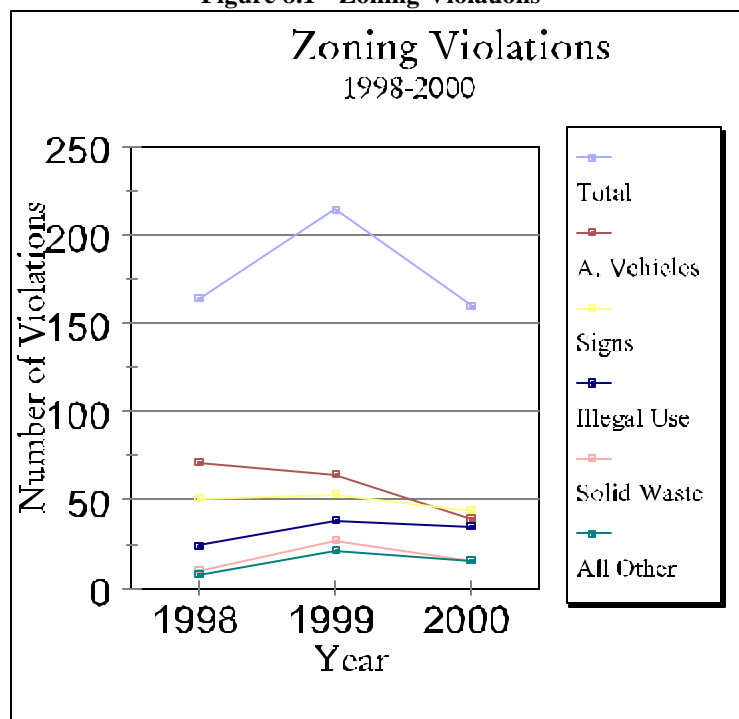
The current land use laws adopted by the Town of Clarence include the following:

- Zoning Law
- Subdivision Law
- Abandoned Vehicle Ordinance
- Sign Ordinance
- Fence Law
- Clearing, Filling, and Grading Law
- Excavation Law
- Manufactured Housing Parks Law
- Vending Machine Law
- Solid Waste Ordinance
- Satellite Antennas and Towers Law
- Peddling & Soliciting Ordinance
- Landscaping Ordinance
- Industrial Hazardous Waste
- Public Improvements
- Building and Construction
- Flood Damage and Prevention
- Unsafe Buildings
- Demolition of Buildings
- Special Events Law
- Swimming Pools

Since 1997, the Zoning Department enforcement case load has remained between 160-210 cases. The numbers represent mostly abandoned vehicle and sign law violations. Figure 8.1 shows a summary of the last three years of cases. Better reporting mechanisms put in place by the department have allowed the tracking of the various violations. The increasing population and additional enforcement man hours logged by the department have also contributed to the results.

The number of single-family home building permits has remained steady through the 1990's although peaking in 1999 at 299 for the number of units allowed. The 1990's have proven to be the most productive in single-family home

Figure 8.1 - Zoning Violations



construction in the Town's History. The building department had to add additional staff and construct a new building during the 90's to handle the additional applications.

The number of multiple-family units has been on the rise as well. The 210 unit Stonegate senior living community, the 218 unit Coventry Green luxury apartment complex, and the 112 unit Vincroft senior living community represent the latest multi-family projects approved by the Town in the last three years. It illustrates the growing demand for alternative living units for various segments of the population.

The number of commercial projects requesting building permits are up as well. The number of building additions for existing businesses as well as an increase in strip development along Transit Road and Sheridan Drive are an additional sign of the level of demand for commercial and industrial growth in Town. According to the land use study prepared by Nutter Associates*, an additional 105,000 sq. ft.

gross floor area of commercial and industrial space will be added to the town annually. A saturation point will eventually be reached in the market place for additional retail development. Also, long term projections for industrial space needs are not practical due to the diversity in variables affecting global economies. However, the current space requirements are the recent trend that the Town has to plan for in order to provide a competitive business environment for local businesses.

To summarize, the Town of Clarence land use regulation case load is increasing due to rising interest from new residential builds and commercial expansions. The building and engineering department have added personnel and a professional planning staff has been added to the Town services to help deal with the expanding growth.

Action Plan:

In order to achieve consistent enforcement of land use regulations, clear and concise land use policies must be established by the Town Board and effectively communicated to the Clarence constituency. The State of New York has legislated the authority to establish land use policies to the local municipalities of the State through the comprehensive planning statutes. Communication of the policies is paramount to successful enforcement methodology.

Keep Land Use Regulations Current:

The above listing of land use regulations must be current by reflecting the land use goals of the community. By adopting the comprehensive plan and subsequent amendments to the land use laws of the Town, the Town can establish this communication through the codification process. A summary of the major changes to any of the land use policies should be made available to all Clarence residents and business owners through advertisements, press releases, written publications, and through the world wide web (.html) reference.

Public Notification Policy:

A great method in dealing with the public interest on current planning projects is having a public notification policy clearly established by the Town Board. The citizens will have a greater opportunity to have a voice in local land use decisions with such a policy clearly stated and followed by local officials. It also erases any question of mishandling

the public interest in regards to land use projects if questioned by the local taxpayers.

The project review process should also be codified through the Zoning Ordinance to give applicants a clear stated policy regarding their projects. They can plot their project review timelines in a more efficient manner with greater accuracy. Many financial decisions regarding any large project are usually held hostage by the municipal review process. By having this process clearly defined may make it easier for applicants and their financiers to come to mutual agreements on development projects.

Project Reviews:

Another important factor in providing consistent enforcement is having sufficient time to complete reviews on commercial site plans and residential subdivision applications. It insures they conform to all of the Town codes and will not result in a negative impact on the surrounding neighborhoods. In most instances, there are no second chances in land use decisions. The design that is approved and built will have a lasting effect on the health of the community. The sensitivity to design is crucial in the planning stages of any project. Emphasis must be placed at this stage of a project's development.

Coordination of town, county, and state offices during a project's review is another way of providing consistent enforcement of all land use regulations. Again, a clearly stated policy of coordinated review will insure a project meets all the town, county, and state codes.

Technological Communication Improvements:

By improving the physical communication network between departments and the rest of the world will also benefit the objectives of providing consistent enforcement. By improving the communications network through improved telephone technology, cellular use, voice mail, alphanumeric paging, internet access, e-mail, and video streaming technologies the Town should improve its ability to educate and expose a greater number of people to the land use regulations that exist.

CHAPTER IX.

ADOPT AN ORDERLY AND BALANCED GROWTH PLAN WHICH PROTECTS EXISTING RESIDENTIAL AREAS.

Plan Summary:

A combination of lower density residential development, utilizing average density development and clustering in new subdivisions to preserve open space and economize on infrastructure extensions, combined with an enhanced rate of commercial and industrial development in identified areas, will be the preferred growth pattern in the future. This growth plan will be complimented with an open space plan that works to preserve valuable open space within the Town and preserve the rural character.

This development plan will have the most favorable balance of cost of services and the municipal revenues which must pay for these services. In addition to this fiscal consequence, this pattern has the significant benefit of moderating the pace of land development within Clarence and better preserving the Town's historical character, as expressed equally by its farmlands and woodlands and by the architectural character of Clarence Center, Clarence Hollow, Swormville, and Harris Hill. A portion of the enhanced commercial development recommended can take the form of sensitive adaptive reuse of existing buildings in these centers, thus abetting the preservation of the unique inherited character of Clarence.

Current Status:

The current Town Zoning Law and Map has developed from the original underlying zoning code originally adopted in the early 1950's. This base ordinance was updated at the time of the first comprehensive plan undertaken by the Town in 1959. A significant majority of the Town is zoned Agriculture with the main thoroughfares zoned commercial and preexisting industrial uses zoned Industrial. The zoning law has not changed with subsequent comprehensive planning studies. As subdivisions and other uses are proposed, the Town amends its zoning districts to accommodate the development.

The Town Board has utilized, as a policy guide, a limit on the number of residential building permits for new home construction at 300 units per year. This figure is further defined to allow up to 200 permits within subdivisions and sewer districts and 100 permits for individual lots on public roads with on-site sewer systems. There is no such policy limit for commercial or industrial uses. The limiting factors for commercial and industrial type uses are public sewers and the lack of properly zoned lands for such developments.

Action Plan:

The Town should adopt a new zoning local law which incorporates the new zoning classifications identified in chapters 2, 3 and 5 of this plan. These new classifications should be designed so that any future use, while not specifically known, will be developed with known characteristics which will be acceptable to the community. In this fashion the Town directs the appropriate land uses.

Similarly, the Town should amend its Zoning Map to identify and plot all zoning classifications as recommended in the comprehensive plan. Zoning map amendments should not be a routine consequence of a proposed project but rather the consequence of planning which is acceptable to the community. Such action has the added benefit of promoting commercial/industrial type uses because potential applicants have the preferred status of knowing that the community will more readily accept a potential use if it conforms with pre-approved land use regulations. Proposed projects that are not identified as permitted uses in a particular zone or do not meet the detailed design criteria for that particular zone are simply not allowed.

Of major concern to the Town in adopting such a policy of land development is the chance of missing an opportunity for developing a project which might be considered a positive to the community but is located in the wrong

zoning classification and therefore not allowed. While this particular situation may not occur, one way to ensure that proper development continues is to reaffirm the goals of the community and the proposed land use map on an annual basis. By identifying annual goals and specific land use objectives the Town can direct development and ensure that future land uses are in conformance with community goals. Such actions can take place annually and be associated with a public hearing to determine whether there is interest within the community to amend land use legislation.

The policy of limiting the number of residential building permits for new home construction should be maintained. With the rate of new home construction in the Town of Clarence over the preceding two years (1999/2000), the Town may wish to reduce the threshold or refine the threshold to limit the number of permits issued on a monthly basis. Due to staff limitations, the current threshold of 300 permits per year is most likely not achievable.

In like fashion, the Town should limit the number of sewer taps on an annual or monthly basis. As discussed in the Master Sewer Plan, efforts to control pollution by extending public sewer service have the consequence of initiating a higher rate of growth. This can be controlled in the future by the Town by limiting the number of sewer taps issued in a given year or month for new home construction. Any sewer line extension or capacity increases to existing trunk lines should be granted with such limits clearly identified.

CHAPTER X

COORDINATE PLANNING EFFORTS ON A REGIONAL BASIS

Plan Summary:

The New York State Constitution vests primary land use control authority with local municipalities and development of Master Plan 2015 outlines our Town's community goals and objectives. One of the important points developed in the comprehensive planning process recognizes that the actions of any individual local municipal governing body impacts upon the entire Western New York community. It is important that the Town recognize certain regional dynamics which work to influence development in the Town and plan accordingly to the betterment of the region.

The Town of Clarence finds itself in a unique position of experiencing significant growth in a region that is experiencing a significant population decline. This phenomenon makes the local comprehensive plan and subsequent land use control generation important to the region.

The Erie County Department of Environment and Planning recognizes the regional consequences of individual community actions and has developed a set of guiding principles which aid in identifying regional goals and the specific actions a local municipality can take to achieve regional goals. These "Guiding Principles" are identified in a June 1999 draft document, prepared by the Department of Environment and Planning and are attached as an appendices to this plan.

Master Plan 2015 recognizes these "Guiding Principles" as well as the influence that land uses and growth in adjoining Towns has in growth dynamics locally. In addition to the "Guiding Principles", joint planning efforts with adjoining municipalities have been initiated which will assist in the long term health of the region. Specifically the Land Use Access Management Plan for the Transit Road corridor will aid in developing compatible land uses along Transit Road and in maintaining Transit Road as a traffic mover. A second coordinated effort will be the proposed Lancaster North South Corridor Plan. The Town of Clarence has identified the extension of Sheridan Drive to the South as a long term connection to the proposed Lancaster corridor.

Current Status:

A Memorandum of Understanding has been signed by the Towns of Clarence and Amherst to undertake a Land Use Access Management Study of the Transit Road corridor. Preliminary work has been done regarding the Land Use Access Management Plan for Transit Road. The initial study area involved identifying access management techniques which could be designed into the upgrade of Transit Road in the section from Main Street (NYS Route 5) to the Thruway entrance. This study provided a coordinated effort among the Towns of Clarence, Amherst, Lancaster and Cheektowaga and the GBNRTC and New York State Department of Transportation and provided input towards improving the design of the project. The upgrade for this section is scheduled to begin design work in the next few years. A consultant has been identified to undertake a more comprehensive look at the corridor between Clarence and Amherst and this study shall begin immediately to coordinate efforts between the Towns and the regional transportation entities.

The Greater Buffalo Niagara Regional Transportation Corporation has undertaken a study of the proposed Lancaster North/South Corridor Plan and received public input on the proposed plan. Comments from Clarence residents included concern over increased volumes on Gunnville Road and safety concerns near the Clarence High School at Gunnville and Main Street. The Town of Clarence Planning Board has studied the Lancaster plan and has identified the extension of Sheridan drive as a more logical connection to the proposed Lancaster corridor. Such an extension will create a more desirable connection to the proposed Lancaster corridor by extending an underutilized State Highway while providing access to potential business development areas and the NYS Thruway. While the ultimate development of this plan may be decades away and the logistics of designing a road through federal and state jurisdictional wetlands is a constraint, the Town Planning board feels this connection provides the best long term option for the Towns.

Action Plan:

In addition to continuing with the above identified cooperative efforts currently being undertaken by the Town, Master Plan 2015 identifies the following concepts which work to support the Guiding Principles identified by the Erie

County Department of Environment and Planning.

A. Physical/Infrastructure Resources –Economic Development. As identified in the Land Use Service Cost/Revenue Generation Study prepared by Nutter Associates, the best long term plan for town development is one which promotes enhanced commercial/industrial development. In order to enhance such development the town will need to develop and promote specific areas to encourage outside investment. The areas identified in the plan must be further developed by the town to promote such development. This will include developing adequate sewer capacity to accommodate such development, as sewer availability is the critical element in generating investment in economic development. As identified in the Master Sewer Plan, sewer extensions to solve pollution problems should be well thought out to maintain a mix of uses to balance growth. In developing the ultimate plan for the Heise-Brookhaven Trunk Sewer to service Clarence Sewer District #9, there should be thought given to allocating a percentage of the taps to promote economic development. Specifically taps could be reserved for development of the land around the former National Gypsum property, identified as an area for promoting economic development within the Town.

The plan further identifies areas that may develop in commercial and/or industrial uses and recommends zoning to accommodate specific types of uses. The recommended zoning amendments would add more detail as to the specific types of uses that can be permitted within a specific zoning classification and identify deed restrictions or covenants that can be used to limit unwanted uses.

B. Physical/Infrastructure Resources: Farmland Protection. Master Plan 2015 identifies and prioritizes lands in active agricultural production and in the Agricultural District as well as lands that may have other benefits to the Town. Soils are identified which are of the highest quality, size of parcels are identified as are the visual benefits of a particular parcel. Finally the Town identifies those parcels which, due to their location, are under the most pressure for conversion to non-agricultural uses. All of these factors are utilized in identifying the most valuable parcels to the Town and those which the town should pursue some type of long term preservation technique to maintain. This inventory, analysis and prioritization is recommended as an initial step in preserving valuable lands of the Town.

In terms of the conflict of overlapping sewer districts and agricultural districts, the Town of Clarence has mapped the parcels included in the Clarence-Newstead and Alden-Newstead Agricultural Districts as well as parcels currently located within any sewer district. In accordance with the Erie County policy for such conflicts, the Town of Clarence will similarly discourage the expansion of sewer districts into the existing Agriculture District and follow established policy guidelines should such a conflict arise.

The Town does and will continue to employ techniques identified in the Guiding Principles to protect farmland. These techniques include; preservation of the agriculture districts, conservation easement programs, property tax relief, agriculture zoning classifications and the introduction of outright or development right purchases. As open space and agricultural land preservation is a community goal, these techniques will continue to be employed and enhanced to achieve community goals.

C. Physical/Infrastructure Resources: Rural Service Centers. Preservation of the Town's hamlets is critical to the long term health of the community. Zoning techniques are recommended within Master Plan 2015 which work to maintain the character of these hamlets and encourage investment and reinvestment to ensure long term preservation of these areas. In addition, it is recommended that the Town pursue development of special districts to develop and maintain sidewalks and/or trails and street lighting systems to sustain hamlet character. Also it is recommended that public parking be developed to assist in maintaining commercial ventures and investment within hamlets.

D. Physical/Infrastructure Resources: Transportation. Transportation systems represent an issue which is purely regional in scope and requires that local and regional entities work together. As growth continues within the Town of Clarence the volumes of traffic on collector roads, predominantly County maintained, will increase. It will be critical for the Town to thoroughly identify traffic impacts on the regional highway system when approving land uses.

In general, the Town supports the overall goal and objectives of the GBNRTC long range plan. As identified in the Official Map prepared as an output of Master Plan 2015, the Town's goal is to maintain the character of existing highways while allowing for the increased volumes generated with regional growth. As stated, growth in Lancaster and

Amherst has increased the volumes of traffic on roads within Clarence. In order to achieve this goal land uses will need to be designed so as to minimize impacts on existing roads. This is particularly true for Harris Hill Road, which has been identified as having a substandard level of service. As a part of the LUAMP for Transit Road, one of the outputs will be a “tool box” of access management techniques to utilize on other highway sections within the Town. This will be critical in maintaining levels of service without capital projects to widen existing roads. Transportation System Management (TSM) initiatives such as consolidation of driveways and use of parallel service roads within development parcels will be supported.

The Town of Clarence has developed a long term plan for developing the Bike Path Master Plan and has coordinated this plan with the GBNRTC regional bicycle plan. The Town will need to coordinate trail development with Erie County for some sections of the proposed trail slated for paralleling County Highways.

E. Physical/Infrastructure Resources: Utility Service Areas. As described in the Town of Clarence Master Sewer Plan, extension of public sewer facilities to solve pollution problems is the catalyst for growth within the Town. The Town Official Map, developed as an output of Master Plan 2015 identifies potential growth areas related sewer service extensions. Plan identification of allowed land uses and densities will work to control growth in the future, as will Town approvals for sewer line extensions. Generally, the local recommended actions in the Guiding Principles will be followed by the Town.

F. Environmental Resources: Environmental Preservation. Protection of the existing character of the Town of Clarence is the main focus of Master Plan 2015. This protection involves preservation of the natural features that are plentiful within the Town, including wetlands, floodplains, existing agricultural operations on quality soils, stream corridors and similar environmental resources. Through zoning and an adopted open space plan, the Town is working to protect these important aspects. Working with regional regulatory agencies and enforcing Town policies and standards dealing with impacts upon sensitive environmental areas, the Town can preserve important features.

Approximately 24% of the Town is located within 100 year flood plain and a considerable amount of state and federal wetlands exist which constrain development opportunities, particularly in the northern portion of the Town. Nearly 50% of the Town is within Agriculture districts. Approximately 5% of the total land within the town is publicly owned lands which will be preserved forever. It is the goal of the community to maintain protective measures and enhance the preservation tools available to the Town to maintain a superior ratio of open space. The visual impacts of any approved use should be thoroughly analyzed and amended to preserve the view to open space to the greatest extent feasible.

G. Environmental Resources: Parks and Open Space. Clarence maintains a positive ratio of parkland per population of approximately 9.9 acres per 1000 persons. This does not include any other public lands within the Town, which would include properties owned by the County and State. Factoring in these other properties, the ratio would increase to 46.6 acres per 1000 persons, excluding school owned property. The goal of the community is to maintain this ratio at a superior level. The National Recreation and Park Association (NRPA) sets a “target of excellence” of 6.25 to 10.5 acres of park land per 1000 persons in urban areas. The goal of the community is to maintain a superior ratio of parkland per resident.

Through Master Plan 2015, the Town has developed an inventory of large parcels and developed a list of criteria which identifies valuable parcels which should be maintained. In addition land use tools, such as cluster zoning, planned unit developments, open space preservation through average density development and identification of significant and sensitive environmental areas are recommended to further protect and enhance open space. Via the Town subdivision law, the Town has the ability to acquire up to 8% of a total project area for park use and this aspect of the law should be more frequently utilized as a design tool.

The Town has recently enacted an open space fee for all residential and commercial/industrial projects developed. The fees collected for these projects can be utilized to further acquisition of open space in the future. As recommended in the open space plan, additional open space and recreational land acquisitions should be pursued. Local recreation and open space funds can be utilized to leverage additional State and Federal dollars towards achieving the goal of preservation.

One of the main opportunities for cooperation between the county and the town will be the development of Beeman Creek Park. This 400+ acre parcel, owned by the county, is currently not accessible to residents. A plan for making this park accessible so that residents can enjoy its natural beauty should be developed by the County and Town.

H. Environmental Resources: Stream Corridor Preservation. Identified Stream Corridors having Countywide Significance within the Town of Clarence include Ransom Creek and Tonawanda Creek.. Other streams within the Town include Gott Creek, Beeman Creek and Black Creek. Through local land use controls, the Town can work to protect these stream corridors.

I. Social/Cultural/Institutional Resources: Historic and Cultural Resources. The Town recognizes that preserving historical resources is important to the long term health of the community. Through proposed zoning amendments to identify distinct hamlets and allow for uses which match the existing character of individual areas the Town is setting the framework for more advanced historic preservation regulations. The key to long term preservation will be a community consensus building to pursue more advanced legislation. In the interim, it will be beneficial to allow for relaxed regulations to encourage reuse of existing structures to trigger investment in older properties. Through a local “grass roots” interest, the Town is identifying historic resources. In addition, the Town has a demolition law which requires that any demolition of a potentially historic structure be classified as a Type I Action under the State Environmental Quality Review Act.

J. Social/Cultural/Institutional Resources: Affordable Housing. While it may seem difficult to associate affordable housing with the Town of Clarence there is significant amount of housing which can be classified as affordable, including manufactured housing parks. An approved expansion of the Rock Oak Estate Park will provide an alternative housing style to many residents. In addition, the proposed zoning within the hamlet areas of the Town will allow residential units as permitted uses on second story structures. This will offer another alternative housing type and provide a desired mix of housing costs.